

105TH CONGRESS
1ST SESSION

S. 206

To prohibit the application of the Religious Freedom Restoration Act of 1993, or any amendment made by such Act, to an individual who is incarcerated in a Federal, State, or local correctional, detention, or penal facility, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 28, 1997

Mr. REID introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit the application of the Religious Freedom Restoration Act of 1993, or any amendment made by such Act, to an individual who is incarcerated in a Federal, State, or local correctional, detention, or penal facility, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. APPLICATION TO INCARCERATED INDIVID-**
4 **UALS.**

5 The Religious Freedom Restoration Act of 1993 (42
6 U.S.C. 2000bb et seq.) is amended—

7 (1) by moving section 5 to the end of the Act;

1 (2) by redesignating section 5 as section 8; and

2 (3) by inserting after section 4 the following

3 new section:

4 **“SEC. 5. APPLICATION TO INCARCERATED INDIVIDUALS.**

5 “Notwithstanding any other provision of this Act,
6 nothing in this Act or any amendment made by this Act
7 shall be construed to affect, interpret, or in any way ad-
8 dress that portion of the First Amendment regarding laws
9 prohibiting the free exercise of religion, with respect to
10 any individual who is incarcerated in a Federal, State, or
11 local correctional, detention, or penal facility (including
12 any correctional, detention, or penal facility that is oper-
13 ated by a private entity under a contract with a govern-
14 ment).”.

15 **SEC. 2. EFFECTIVE DATE.**

16 (a) IN GENERAL.—This amendments made by this
17 Act shall take effect on the date of enactment of this Act.

18 (b) EFFECT ON CAUSES OF ACTION EXISTING BE-
19 FORE DATE OF ENACTMENT.—The amendment made by
20 section 1(3) shall apply with respect to a cause of action
21 arising under the Religious Freedom Restoration Act of
22 1993 prior to the date of enactment of this Act, if a final
23 decision has not been entered in the action prior to such
24 date.

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